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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,303	12/19/2001	Benjamin N. Eldridge	20206-12	3351

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EXAMINER

ABRAMS, NEIL

ART UNIT PAPER NUMBER

2839

DATE MAILED: 02/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/025,303

Applicant(s)

ELDRIDGE ET AL.

Examiner

Neil Abrams

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-8, 13-16, 19, 27, 27-33 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 9-12, 17, 18, 20-23, 25, 26, 34-41, 45, 47-51, 54, 56-58 is/are rejected.
- 7) ☒ Claim(s) 42-44, 46, 52, 53, 55 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

The indicated allowability of claims is withdrawn in view of newly applied references.

The PTO-1449 submitted with last response is incorrect, see serial number.

Claim 50 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claim 50 wording is unclear, what "movable aperture" is referred to.

Claims 1, 2, 9-12, 17, 18, 22, 23, 25, 26, 34, 35, 37, 41, 45, 47, 51, 54, 56, 58 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Japan 1-140071 alone or view of Venaleck, Schuck, and Olsen.

Japan as best understood discloses probe card 15 with contacts 18 for engaging wafer (die) 18 and a cover 9 to be mounted to the probe card and movable to a second position to allow testing of the wafer. The cover in the fig. 4 position is considered as being within the machine. As alternative, further obvious to leave cover in place when probe is over wafer (lower position) and to remove it downwardly and then to the side (Z, X directions). Basically obvious to use the Japan device without the fig. 4 pivotal plate 3 feature and to replace probes directly in lowered plate 3, and then to remove cover. Claim 3 which reads on "manual" motion of cover does not define over such steps. For claims 6, 7, 8, 10, 11, 26, etc obvious to attach cover by magnets in view of Olsen, bayonet or rotation in view of Venaleck and Schuck, adhesive use being equivalent to magnetic use. This would form easy attachment means.

Claims 12, 41, etc, obvious the cover could form a hermetic seal, fig. 3, nor is such aspect seen to be independently at issue. For claims 1, etc, features if not shown by Japan, such as "die on wafer", also considered obvious variations.

Claims 1, 20, 21, 22, 34, 35, 36, 38-41, 45, 48, 49, 50, 51, 54, 57, 58 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Japan 2-254367 alone or taken in view of Cameron.

For claims 1, etc, Japan discloses a probe card 1 with contacts 2, for testing die 7 and a cover (shutter) 11 to be opened for testing of the die 7. Should issues arise, obvious to form Japan shutter in manner of that of Cameron, figs. 11, 12. This would enable easy opening by mechanism. For claim 20, each Cameron cover part moves about a hinge 93. Claim 21, 50 reads on use of Cameron type shutter.


Claim 36, is seen to read on means for moving the Japan or Cameron covers.

Arguments are moot in view of new references applied. For claim 36, just how terms by a device" are intended to be readable should be discussed in response. Do terms refer to robotic handler.

Claims 3-8, 13-16, 19, 24, 27-33 are allowed.

Claims 42-44, 46, 52, 53, 55 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication should be directed to Neil Abrams at telephone number (571)272-2089.


NEIL ABRAMS
EXAMINER
ART UNIT 322